

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JENNIFER D. ARAOZ, :
: :
Plaintiff, : :
: :
v. : AFFIDAVIT
: No. 1:22-cv-00125 (AMD) (RML)
: :
THE NEW ALBANY COMPANY, LLC, et al., :
: :
Defendants. : :
----- x

STATE OF OHIO)
) SS.:
COUNTY OF FRANKLIN)

Matthew S. Zeiger, being duly sworn, deposes and says:

I, Matthew S. Zeiger, am counsel for Defendants in the above-entitled action, and respectfully move this Court to issue an order dismissing Plaintiff's First Amended Complaint pursuant to Federal Rules of Civil Procedure 12(b)(1), 12(b)(2) and 12(b)(6) with prejudice.

The reason why I am entitled to the relief I seek is the following:

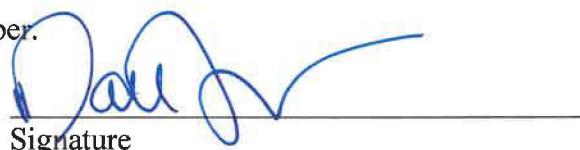
Plaintiff's First Amended Complaint is barred by res judicata, Plaintiff's claims fail to state a claim upon which relief can be granted, and the Court lacks personal jurisdiction over the Defendants. The accompanying Memorandum of Law addresses Defendants' legal arguments in detail.

Annexed hereto as exhibits in support of this motion are:

1. Certified copy of First Amended Complaint filed in Jennifer Danielle Araoz v. The Estate of Jeffrey Edward Epstein, et al., Supreme Court of the State of New York, County of New York, Index No. 950010/19.
2. Certified copy of the Stipulation of Discontinuance filed in Jennifer Danielle Araoz v. The Estate of Jeffrey Edward Epstein, et al., Supreme Court of the State of New York, County of New York, Index No. 950010/19.

3. Verified Complaint filed in Jennifer D. Araoz vs. The New Albany Company LLC, et al., Case No. 1:22-cv-00125 (highlighted to show incorporation of state law allegations).
4. First Amended Verified Complaint filed in Jennifer D. Araoz vs. The New Albany Company LLC, et al., Case No. 1:22-cv-00125.
5. First Amended Verified Complaint Excerpts Alleging the Agency of Epstein for the Defendants.
6. Affidavit of Craig R. White.
7. Affidavit of Leslie H. Wexner.
8. Affidavit of Abigail S. Wexner.
9. Affidavit of Rabbi Barbara Elka Abrahamson.
10. Affidavit of Peggy W. Ugland.
11. Affidavit of William G. Ebbing.

WHEREFORE, I respectfully request that the Court grant the within motion, as well as such other and further relief as may be just and proper.



Signature

Matthew S. Zeiger
Print Name

Sworn to before me this 17th day of April, 2023.

Terri L. Thompson
Notary Public

